

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DAVID M. ROEDER, SUSANNE A. ROEDER,
RODNEY SICKMANN, DON COOKE, and MARK
SCHAEFER, individually and on behalf of a class of
similarly situated individuals,

Plaintiffs,

- against -

J.P. MORGAN CHASE & CO., successor by merger
to CHASE MANHATTAN CORPORATION, and
JPMORGAN CHASE BANK, N.A., successor by
merger to CHASE MANHATTAN BANK,

Defendants.

20-cv-2400 (LJL) (SDA)

NOTICE OF MOTION

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that upon the annexed Declaration of William J. Trach, dated July 27, 2020, and the exhibits attached thereto, and the accompanying Memorandum of Law,¹ the undersigned hereby moves this Court on behalf of Defendants JPMorgan Chase & Co. and JPMorgan Chase Bank, N.A. before the Honorable Lewis J. Liman, in Courtroom 15C of the United States District Court for the Southern District of New York, Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York, 10007, for an order dismissing the complaint with prejudice and without leave to amend pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and such other relief as the Court deems just and proper.

¹ Pursuant to Rule 2.H of the Court's Individual Practices in Civil Cases, the parties have agreed to a 35 page limit on the memoranda in support of and in opposition to the instant motion.

PLEASE TAKE FURTHER NOTICE that in accordance with the Order entered July 8, 2020 (Dkt. 41), any opposition to this motion shall be served by September 8, 2020, and any reply shall be served by September 22, 2020.

Dated: July 27, 2020
Boston, Massachusetts

Respectfully Submitted,

LATHAM & WATKINS LLP

/s/ William J. Trach
William J. Trach (admitted *pro hac vice*)
200 Clarendon Street
Boston, MA 02116
Telephone: (617) 948-6000
Facsimile: (617) 948-6001
Email: william.trach@lw.com

*Attorneys for Defendants JPMorgan Chase &
Co. and JPMorgan Chase Bank, N.A.*